CIRCULAR LETTER
Respecting the removal of Insane Prisoners.

Toronto, 15th August, 1888.

SIR,

I am directed to inform you that the Inspector of Prisons and Public Charities has called the attention of the Department to the fact that owing to the insufficiency of the papers transmitted with certain applications for the removal from the Common Gaols of persons committed thereto as insane and dangerous to be at large, he has been prevented from giving to several very urgent cases the prompt consideration they required, as it became necessary to return the papers for correction or completion, or both. It is very obvious that delays due to avoidable causes are, especially in the interests of insane prisoners, extremely undesirable, and I am, therefore, to intimate to you that before transmitting an application of the kind referred to you are expected to satisfy yourself:—

1st. That it is accompanied by (1) the *depositions* taken before the committing magistrate or a certified copy of such depositions; (2) a *certified copy* of the final Warrant of Committal; (3) the Schedule No. 2, and (4) the certificates of the Medical Examiners and of the County Judge.

2nd. That the name of the prisoner is *uniform throughout* the papers.

3rd. That the Warrant of Committal, duly signed and *sealed*, complies *in every respect* with Form D appended to the Statute, and that it shows clearly that due enquiry was made by the committing magistrate and that the prisoner was adjudged to be insane and dangerous to be at large. It is the business of the Gaoler on the presentation to him of a Warrant, to satisfy himself that it is sufficient, and if he find it to be defective, to take steps for its amendment if the facts will justify the magistrate in altering it; otherwise, the prisoner may have to be discharged for want of the necessary legal authority to retain him in custody. Your attention is expressly invited to this requirement, inasmuch as in the majority of instances where it has occurred, delay in removing insane prisoners has been caused by irregularities in the Warrants under which they were committed.

4th. That the answers to the Queries *are full and satisfactory*. Schedule No. 2 cannot be too carefully prepared, because upon the information it contains is largely based the action taken by the Inspector, in the first instance, and, in the second, by the Medical Superintendent of the Asylum to which the patient is transferred, and

5th. That the certificates of the respective Examiners are *properly filled up and signed*, and that the printed matter in them is not altered by the elision or substitution of words. The Examiners are of course, at liberty, and, indeed, are desired, to add any remarks upon the case or to state any information which, in their opinion, will be of value to the Inspector or to the Medical Superintendent.

If due attention be paid to the above observations, it is believed the Inspector will be in a position to deal promptly with every application upon its receipt at this Department, and that delays hitherto the result of informalities in or of the insufficiency of the papers transmitted, will be obviated.

Having reference to the discharge, under Section 31 of the Revised Statutes of Ontario, Chapter 245, of persons committed as insane, I may add that a report of the facts, with a copy of the Gaol Surgeon's Certificate, should be in all cases forwarded at once to this Department.

I have the honour to be,

Sir,

Your obedient servant,

G. E. LUMSDEN,
Assistant Provincial Secretary.

Mr. Sheriff .....

....., *Ont.*